

**JOHN MICHAEL UNFRED**

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**FAX TRANSMISSION**

TO: Weisberg & Myers, LLC

ATTENTION: Joshua R. Trigsted

FAX #: (866) 565-1327

FROM: John Michael Unfred, Attorney at Law

RE: Sylvia Ann Walker v. A&S Collections Assoc.

PAGES: 4 Page(s) including coverpage

DATE: Wednesday, September 2, 2009

Please see attached.

1) Offer of Judgment Pursuant to FRCP 68

JOHN MICHAEL UNFRED, OSB#89373  
J. MICHAEL UNFRED, LLC  
PO BOX 327 SALEM OR 97308  
503-371-6005  
[unfredjohnmichae@qwestoffice.net](mailto:unfredjohnmichae@qwestoffice.net)  
ATTORNEY FOR DEFENDANT

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON**

**SYLVIA ANN WALKER**

**Plaintiff,**

**v.**

**A&S COLLECTION ASSOCIATES, INC,**

**Defendant.**

**Case No. CV-09-601-JO**

**OFFER OF JUDGMENT  
PURSUANT TO FRCP 68**

Pursuant to Rule 68 of the Federal Rules of Civil Procedure, Defendant A&S Collection Associates, Inc by and through their attorney, John Michael Unfred, hereby offers to allow judgment to be taken against them in favor of Plaintiff Sylvia Ann Walker as follows:

- 1) Judgment shall be entered in the sum total of One Thousand Dollars (\$1,000.00), as against Defendant A&S Collection Associates, Inc and Defendant shall write off the debt owed by Plaintiff Walker in the amount of One Thousand Nine Hundred Thirty One Dollars and Seventy Six Cents (\$1,931.76);
- 2) In addition, Plaintiff's reasonable costs accrued specifically in connection with the prosecution against Defendant of the claims pled in the above referenced suit are to be added to the judgment against Defendants, said costs to be agreed to between parties, or if they are unable to agree, as determined by the Court upon motion; this offer does not

include an offer of attorneys fees by stipulation or by the Court;

- 3) The judgment entered in accordance with this Offer of Judgment is to be in total settlement of any and all claims by Plaintiff Walker against Defendants, all of their allied, affiliated, parent and associated companies and their respective shareholders, officers, directors, agents, employees, legal representative, successors and assigns, and said judgment shall have no effect whatsoever except in settlement of those claims; and
- 4) This offer of Judgment is made solely for the purposes specified in Rule 69 of the Federal Rules of Civil Procedure, and is not to be construed as an admission that Defendant is liable in this action, or that Plaintiff Walker has suffered any damage. All liability is denied.

In accordance with Rule 68 of the Federal Rules of Civil Procedure, if this Offer of Judgment is not accepted by Plaintiff Walker within fourteen (14) days after service of the Offer of Judgment, this Offer of Judgment shall be deemed withdrawn and any evidence of this Offer of Judgment will be inadmissible except in any proceeding to recover costs.

In accordance with Rule 68 of the Federal Rules of Civil Procedure, if this Offer of Judgment is not accepted by Plaintiff Walker and any judgment finally obtained by Plaintiff Walker is not more favorable than this Offer of Judgment, Plaintiff Walker must pay all costs incurred by Defendants after the making of this Offer of Judgment.

Dated this 2nd day of September, 2009.



John Michael Unfred, OSB#89373  
Attorney for Defendant

I hereby certify that on Sept. 2, 2009, I mailed the above Offer of Judgment

To: Joshua Trigsted  
5025 North Central Avenue, No. 602  
Phoenix, AZ 85012  
Dated this 2<sup>nd</sup> day of September, 2009.



John Michael Unfred, OSB#89373  
Attorney for Defendant